



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,063	02/11/2004	Takashi Sato	Q79869	3316
23373	7590	04/29/2008	EXAMINER	
SUGHRUE MION, PLLC			MILLER, MICHAEL G	
2100 PENNSYLVANIA AVENUE, N.W.				
SUITE 800			ART UNIT	PAPER NUMBER
WASHINGTON, DC 20037			1792	
			MAIL DATE	DELIVERY MODE
			04/29/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Response to Amendment

1. The amendments filed 16 APR 2008 introduce new issues for consideration and as such will not be entered.
 - a. Claim 1 – the added nitrogen limitation and the removed hydrogen limitation would change the scope of the claim and all claims that depend from it.
 - b. Claim 1 - the addition of the 'for use' limitation would change the scope of the claim and all claims that depend from it.
 - c. Claim 6 – the addition of the Raman spectrum limitation raises a new issue of search which was not required prior to the amendment.
 - d. Claim 7 – the addition of a specific gas raises a new issue of search which was not required prior to the amendment.
2. The amendment has two added claims and only one canceled claim. Adding claims is not considered as placing the application in better condition for appeal. *Ex parte Wirt*, 1905 C.D. 247, 117 O.G. 599 (Comm'r Pat. 1905).

Response to Arguments

3. All of Applicant's arguments are based on the claims as amended. As the amendment is not being considered, the arguments dependent therefrom are not being considered.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL G. MILLER whose telephone number is (571)270-1861. The examiner can normally be reached on M-F 7-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Cleveland can be reached on (571) 272-1418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael G. Miller/
Examiner, Art Unit 1792

/Michael Cleveland/
Supervisory Patent Examiner, Art Unit 1792